

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DONALD McCRAY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:23-CV-567-HEA
)	
INTERNAL REVENUE SERVICE, et al.,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter comes before the Court on its own motion. Self-represented plaintiff Donald McCray has filed a civil action on a Prisoner’s Civil Rights Complaint form. ECF No. 1. However, he has not filed a motion for leave to proceed *in forma pauperis* or paid the Court’s \$402 filing fee. Plaintiff will be directed to either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this Order. *See* 28 U.S.C. § 1915(a)(1). The Court will direct the Clerk to mail plaintiff an ‘Application to Proceed without Prepaying Fees and Costs’ form.

If plaintiff files a motion to proceed *in forma pauperis*, he must include a certified copy of his inmate account statement for the six-month period immediately preceding the filing of his complaint. *See* 28 U.S.C. § 1915(a)(2); *see also* 28 U.S.C. § 1915(h) (defining a “prisoner” as including a person detained in any facility who is accused of violations of criminal law). A “certified copy” is one that has been certified by an authorized prison officer that is a true and correct copy.

Accordingly,


IT IS HEREBY ORDERED that the Clerk of Court shall send to plaintiff a copy of its ‘Application to Proceed in District Court without Prepaying Fees or Costs’ form.

IT IS FURTHER ORDERED that plaintiff must either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff files a motion for leave to proceed *in forma pauperis*, he must also submit a certified copy of his Robertson Unit “trust fund account statement (or institutional equivalent)” for the six-month period immediately preceding the filing of this action within **twenty-one (21) days** of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff fails to either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this order, the Court will dismiss this action without prejudice and without further notice.

Dated this 3rd day of May, 2023.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE